

Amendments to House Bill No. 455
1st Reading Copy

Requested by Representative Ron Stoker

For the House Judiciary Committee

Prepared by David Niss
February 15, 2007 (7:39am)

1. Title, line 6.

Strike: "AND"

2. Title, line 7.

Following: "PAID"

Insert: "; AND AMENDING SECTION 46-18-234, MCA"

3. Page 1, lines 20 through 27.

Strike: section 2 in its entirety

Renumber: subsequent sections

4. Page 2.

Following: line 6

Insert: "Insert: "Section 3. Section 46-18-234, MCA, is amended to read:

"46-18-234. When payment of fine or costs due. (1) Whenever a defendant is sentenced to pay a fine or costs under 46-18-231 or 46-18-232, the court may grant permission for payment to be made within a specified period of time or in specified installments. If ~~no such~~ permission is not included in the sentence, the payment is due immediately.

(2) If a justice's court imposes a fine for a criminal offense, the court may allow the fine to be paid over a period of time as determined by the court. If the court allows payment over time, the court shall provide, in a written order, statement, or agreement with the defendant, the period of time over which the fine or penalty must be paid and that, in addition to any other probationary period provided by statute, the defendant is on probation until the fine is paid. If the defendant fails to pay the fine in the period of time allowed by the court, the court may revoke the defendant's probation. The court retains jurisdiction over the defendant until the defendant complies with the order, statement, or agreement."

{ Internal References to 46-18-234: None. }

Renumber: subsequent sections

5. Page 2, lines 10 and 11.

Strike: subsection (2) in its entirety

Renumber: subsequent subsection

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6. Page 2, line 12.

Strike: "[Section 3]"

Insert: "[Section 2]"

7. Page 2, line 13.

Strike: "[section 3]"

Insert: "[section 2]"

- END -